

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

FILED BY *JP* D.C.

US MAY -4 PM 3:42

ROBERT D. ATWOOD
CLERK, U.S. DIST. CT.
W.D. OF TN, MEMPHIS

JAMES BERNARD,

Plaintiff,

v.

BNSF RAILWAY CO.,

Defendant.

)
)
)
)
)
)
)
)
)
)

No. 04-3008 M1/V

ORDER TO SHOW CAUSE

Plaintiff filed his Complaint in this case on December 13, 2004. More than 120 days has passed since the filing of the Complaint and it does not appear that Plaintiff has effected service upon the Defendant. Accordingly, Plaintiff is ORDERED to SHOW CAUSE within ten (10) days of the date of entry of this order why this action should not be dismissed in accordance with Federal Rule of Civil Procedure 4(m).

So ORDERED this 4 day of May, 2005.

Jon P. McCalla
JON P. McCALLA

UNITED STATES DISTRICT JUDGE

2



Notice of Distribution

This notice confirms a copy of the document docketed as number 2 in case 2:04-CV-03008 was distributed by fax, mail, or direct printing on May 9, 2005 to the parties listed.

Richard B. Fields
LAW OFFICE OF RICHARD B. FIELDS
688 Jefferson Ave.
Memphis, TN 38105--193

Honorable Jon McCalla
US DISTRICT COURT